

UNITED STATES PROBATION OFFICE
DISTRICT OF NEVADA
MEMORANDUM

RE: Ronald Jay Pierce

2006 MAY 15 P 1:48

CASE NO.: CR-S-03-519-LRH(LRL)

VIOLATION REPORT
REQUEST FOR MODIFICATION OF RELEASE CONDITIONS

May 10, 2006

TO: THE HONORABLE LARRY R. HICKS
United States District Judge

On January 18, 2005, Ronald Jay Pierce appeared before Your Honor and was sentenced to eleven and a half months imprisonment, with credit for time served, to be followed by a three-year term of supervised release for his conviction of Conspiracy, Identity Theft, Production of Unauthorized Identification and Aiding and Abetting. Immediately after sentencing, Mr. Pierce released to a State of Nevada detainer. On April 21, 2005, Mr. Pierce released from the State of Nevada custody to commence his federal supervision.

On March 10, 2006, a violation report was forwarded to Your Honor outlining Mr. Pierce's noncompliant behavior: failing to pay his criminal monetary penalties; associating with a person involved in illegal activity; and failing to refrain from unlawful use of a controlled substance. It was felt that our admonishment of the offender and his time served in jail, coupled with his continued participation in counseling and drug testing, addressed our concerns at that time. We recommended that any adverse action be deferred.

On March 1, 2006, Mr. Pierce failed to report to the probation office for his drug test. When asked, he admitted not calling the previous night to obtain reporting instructions. On March 23, 2006, Mr. Pierce failed to attend a required group counseling session at his substance abuse treatment facility, Choices Group, Inc. On April 3, 2006, Mr. Pierce reported to the probation office and submitted to urinalysis which tested positive for methamphetamine. When confronted, Mr. Pierce admitted smoking methamphetamine during the weekend at a local bar and drinking alcohol. Mr. Pierce was instructed, at the beginning of his supervision, that he was prohibited from consuming alcohol while participating in substance abuse treatment. Mr. Pierce failed to follow instructions of the probation officer and failed to comply with his substance abuse treatment obligations. On April 14, 2006, Mr. Pierce reported to the probation office for drug testing; however, he failed to provide a urine sample, representing a "stall." On April 28, 2006, Mr. Pierce once again failed to report to the probation office for his drug test.

Mr. Pierce is under state supervision and as a special condition, he is to participate and successfully complete drug court. Due to the offender's drug court violation, he was placed in jail by a district court judge on April 18, 2006. On April 27, 2006, Mr. Pierce released from local custody to continue state and federal supervision.

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As a corrective measure, Mr. Pierce continues to participate in the drug court program which includes drug testing and his substance abuse counseling was increased. As a controlling intervention, on May 1, 2006, a supervisory staffing was held between the probation officer, Supervising Probation Officer D. Patrick Foy and Mr. Pierce to discuss his noncompliant behavior. He was sternly admonished for failing to report for drug testing, failing to comply with treatment obligations, and failing to refrain from the use of methamphetamine. Mr. Pierce was provided with the attached Probation Form 49/Waiver of Hearing to Modify Conditions of Supervised Release to include a public law placement at a community corrections center for a period of up to 120 days. After being advised of his rights to a hearing and assistance of counsel, Mr. Pierce waived those rights and signed the document agreeing to the proposed modification.

PRAYING THAT THE COURT WILL ORDER THAT CONDITIONS OF SUPERVISION BE MODIFIED TO INCLUDE: RESIDE AT AND PARTICIPATE IN THE PROGRAM OF A COMMUNITY CORRECTIONS CENTER FOR A PERIOD OF 120 DAYS AS APPROVED AND DIRECTED BY THE PROBATION OFFICER.

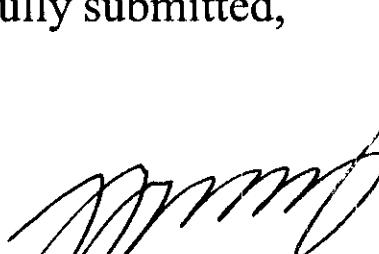
ORDER OF COURT: Supervision Modified

Considered and ordered this 22nd day of
May, 2006, and ordered filed and
made a part of the records in the above case.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

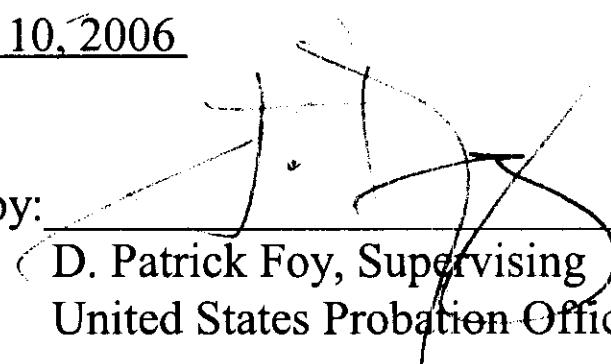
Respectfully submitted,



Leonel Sanchez-Sanchez
United States Probation Officer

Date: May 10, 2006

Reviewed by:



D. Patrick Foy, Supervising
United States Probation Officer

PROB 49
(3/89)

UNITED STATES DISTRICT COURT
District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

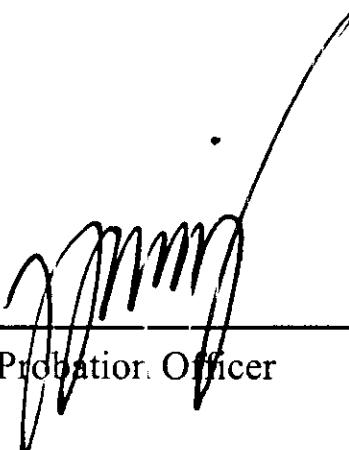
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **Reside in Community Corrections Center** - You shall reside at and participate in the program of a community corrections center for a period of up to 120 days as approved and directed by the probation officer.

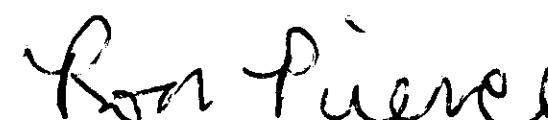
Witness _____

U.S. Probation Officer



Signed _____

Probationer or Supervised Releasee



May 1, 2006

Date